

IN THE UNITED STATES DISTRICT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JOHN THOMSON,	:	
	:	
Plaintiff	:	
	:	
v.	:	CASE NO. 1:23-cv-00099-SEB-MG
	:	
ROCHE DIAGNOSTICS CORPORATION,	:	
	:	
Defendant.	:	

DEFENDANT’S UNOPPOSED MOTION TO MAINTAIN
EXHIBIT 1 TO DEFENDANT’S ANSWER TO PLAINTIFF’S
FIRST AMENDED COMPLAINT UNDER SEAL

Comes now Defendant, Roche Diagnostics Corporation (“Defendant”), by and through its counsel, David A. Campbell and John D. Meyer of LEWIS, BRISBOIS, BISGARD & SMITH, LLP, pursuant to Southern District of Indiana Local Rule 5-11(d), and (e), and respectfully files this motion to maintain Exhibit 1 to Defendant’s Answer to the First Amended Complaint filed by Plaintiff John Thomson (“Plaintiff”) under seal. In support thereof, Defendant is filing its Brief in Support, which it incorporates herein by reference.

Plaintiff was granted authority to file Roche’s Incentive Compensation Plan (the “Plan”) for the years 2018, 2019, 2020, and 2021 under seal. (Doc. #30). Part of the grounds for the Court’s order was the fact that Roche implemented RDC-107, Roche’s Sales and Service Incentive Compensation Plan Policy (the “Incentive Compensation Plan”) in order to attract, retain and reward the Roche sales and service teams. Similar to the Plan documents, the Incentive Compensation Policy is a confidential and valuable trade secret.

Defendant has produced a copy of the Incentive Compensation Plan to Plaintiff in advance of this filing. Plaintiff agrees that the Incentive Compensation Plan is a trade secret like the Plan

documents previously filed by Plaintiff. Defendant intends to file a copy of the Incentive Compensation Plan as Exhibit 1 to Defendant's Answer to Plaintiff's First Amended Complaint. Accordingly, as with the Plan documents attached to Plaintiff's First Amended Complaint, Defendant seeks to maintain Exhibit 1 to the Answer, the Incentive Compensation Plan, under seal. Plaintiff does not oppose this Motion.

WHEREFORE, Defendant respectfully requests an order from the Court finding that Exhibits 1 of Defendant's Answer to Plaintiff's First Amended Complaint is a trade secret of the Defendant and that good cause exists to maintain said exhibits under seal throughout the course of this litigation.

Respectfully submitted,

/s/ David A. Campbell

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Corporation*

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of April 2023, the foregoing was filed through the Court's CM/ECF electronic filing system. A copy of this filing will be sent to all parties through the court's ECF system.

/s/ John D. Meyer

John D. Meyer (18790-29)

Lewis, Brisbois, Bisgaard & Smith, LLP